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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,465	12/27/2001	Yuki Fukuichi	1083.1085	7800

21171 7590 07/15/2004

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EXAMINER

ORTIZ, BELIX M

ART UNIT PAPER NUMBER

2175

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,465

Applicant(s)

FUKUICHI, YUKI

Examiner

Belix M. Ortiz

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |


SAM RIMELL
PRIMARY EXAMINER

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 9-14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Block et al. (U.S. publication 2003/0050976).

As to claim 1, Block et al. teaches a community site constructing method for constructing a community site on a network, by utilizing a network including a central apparatus which manages a community site and a terminal device used by a representative of the community site or a member previously authorized by the representative to have access to the community site (see figures 2D and 2E; page 4, paragraph 33; and page 23, claim 10), the method comprising the steps of:

registering personal information about the representative and theme information of the community site in a basic information database in association with identification information for identifying the representative

of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

registering member information about a member in a member information database in association with identification information for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91);

registering commodity information about commodities to be provided in a commodity database in association with the theme information (see figures 3, 4, 35, and 39);

extracting the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

transmitting the extracted commodity information from the central apparatus to the terminal device (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

As to claim 2, Block et al. teaches a community site constructing system for constructing a community site on a network (see abstract and page 1, paragraph 3), comprising:

a central apparatus for managing a community site (see page 4, paragraph 33);

a terminal device used by a representative of the community site or a member previously authorized by the representative to have access to the community site (see page 1, paragraphs 4 and 5);

a basic information database in which personal information about the representative and theme information of the community site is registered in association with identification information for identifying the representative of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

a member information database in which member information about a member is registered in association with identification information for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91); and

a commodity database in which commodity information about commodities to be provided is registered in association with the theme information (see figures 3, 4, 35, and 39),

wherein the central apparatus includes a processor (see page 22, paragraph 209) capable of performing the following operations of:

extracting the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

transmitting the extracted commodity information to the terminal device (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

As to claim 3, Block et al. teaches wherein;

the member information includes relationship information about the relationship between the representative and the member (see figures 2A, 9, and 22; abstract; page 1, paragraph 3; page 3, paragraph 20; and page 4, claim 29); and

wherein the transmission operation includes the operation of transmitting the extracted commodity information to the terminal device by reference to the relationship information (see figures 2; page 2, paragraph 15; page 3, paragraph 18; and page 4, claim 40).

As to claim 4, Block et al. teaches wherein:

the theme information includes information about the representative, a person related to the representative, a main theme including an event relating to the representative, and date-and-time relating to the main theme (see figure 2; figure 2A; figure 3, character 324; figure 4, character 418; and figure 10);

the commodity database has the commodity information about commodities to be provided, registered therein in association with the date-and-time information (see figure 5, character 514 and page 1, paragraph 9);

wherein the central apparatus further includes a timer unit (see figure 31, characters 3104 and 3106 and page 1, paragraph 9); and

wherein the processor of the central apparatus is further capable of performing the operation of extracting the commodity information from the commodity database based on the date-and-time information of the theme information and the date-and-time information output from the timer unit (see figure 3, character 324 and figure 5, character 514).

As to claim 5, Block et al. teaches wherein:

the theme information includes information about the representative, a person related to the representative, a main theme including an event relating to the representative, and date-and-time relating to the main theme (see figure 2; figure 2A; figure 3, character 324; figure 4, character 418; and figure 10);

the commodity database has the commodity information about commodities to be provided, registered therein in association with the date-and-time information (see figure 5, character 514 and page 1, paragraph 9);

wherein the central apparatus further includes a timer unit (see figure 31, characters 3104 and 3106 and page 1, paragraph 9); and

wherein the processor of the central apparatus is further capable of performing the operation of extracting the commodity information from the commodity database based on the date-and-time information of the theme information and the date-and-time information output from the timer unit (see figure 3, character 324 and figure 5, character 514).

As to claim 6, Block et al. teaches wherein:

the date-and-time information relating to the main theme is birth date information of a baby of the representative (see figure 4, character 418, where "the main theme is birth date" is read on "mean theme is teams"); and

wherein the extracting operation further includes the operation of calculating the number of days elapsed since the birth date based on the birth date information and the date-and-time information output from the timer unit and extracting from the commodity database information about a commodity corresponding to the calculated number of elapsing days (see figure 32 and page 18, paragraph 178).

As to claim 7, Block et al. teaches wherein:

the date-and-time information relating to the main theme is birth date information of a baby of the representative (see figure 4, character 418, where "the main theme is birth date" is read on "mean theme is teams"); and

wherein the extracting operation further includes the operation of calculating the number of days elapsed since the birth date based on the birth date information and the data-and-time information output from the timer unit and extracting from the commodity database information about a commodity corresponding to the calculated number of elapsing days (see figure 32 and page 18, paragraph 178).

As to claim 9, Block et al. teaches a central apparatus for managing a community site in which a representative and a member previously authorized by the representative to have access to the community site participate, the central apparatus comprising a processor (see figures 2D and 2E; page 4, paragraph 33; page 22, paragraph 209; and page 23, claim 10) capable of performing the following operations of:

registering personal information about the representative and theme information of the community site in a basic information database in association with identification information for identifying the representative of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

registering member information about a member in a member information database in association with identification information for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91);

registering commodity information about commodities to be provided in a commodity database in association with the theme information (see figures 3, 4, 35, and 39);

extracting the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

transmitting the extracted commodity information to the outside (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

As to claim 10, Block et al. teaches a computer memory product in which a computer program is recorded, the computer program causing a computer to manage a community site in which a representative and a member previously authorized by the representative to have access to the community site participate (see figures 2D and 2E; page 4, paragraph 33; page 22, paragraph 209; and page 23, claim 10), the computer program comprising the steps of:

causing the computer to register personal information about the representative and theme information of the community site in a basic information database in association with identification information for identifying the representative of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

causing the computer to register member information about a member in a member information database in association with identification information for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91);

causing the computer to register commodity information about commodities to be provided in a commodity database in association with the theme information (see figures 3, 4, 35, and 39);

causing the computer to extract the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

causing the computer to transmit the extracted commodity information to the outside (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

As to claim 11, Block et al. teaches a community site constructing system for constructing a community site on a network (see abstract and page 1, paragraph 3), comprising:

a central apparatus for managing a community site (see page 4, paragraph 33);

a terminal device used by a representative of the community site or a member previously authorized by the representative to have access to the community site (see page 1, paragraphs 4 and 5);

a basic information database in which personal information about the representative and theme information of the community site is registered in association with identification information for identifying the

representative of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

a member information database in which member information about a member is registered in association with identification information for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91); and

a commodity database in which commodity information about commodities to be provided is registered in association with the theme information (see figures 3, 4, 35, and 39), wherein:

the central apparatus includes:

means for extracting the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

transmission means for transmitting the extracted commodity information to the terminal device (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

As to claim 12, Block et al. teaches wherein;

the member information includes relationship information about the relationship between the representative and the member (see figures 2A, 9, and 22; abstract; page 1, paragraph 3; page 3, paragraph 20; and page 4, claim 29); and

the transmission means refers to the relationship information and transmits the extracted commodity information to the terminal device (see figures 2; page 2, paragraph 15; page 3, paragraph 18; and page 4, claim 40).

As to claim 13, Block et al. teaches wherein:

the theme information includes information about the representative, a person related to the representative, a main theme including an event relating to the representative, and date-and-time relating to the main theme (see figure 2; figure 2A; figure 3, character 324; figure 4, character 418; and figure 10);

the commodity database has the commodity information about commodities to be provided, registered therein in association with the date-and-time information (see figure 5, character 514 and page 1, paragraph 9);

wherein the central apparatus further includes:

a timer unit (see figure 31, characters 3104 and 3106 and page 1, paragraph 9); and

extraction means for extracting the commodity information from the commodity database based on the date-and-time information of the theme information and the date-and-time information output from the timer unit (see figure 3, character 324 and figure 5, character 514).

As to claim 14, Block et al. teaches wherein:

the date-and-time information relating to the main theme is birth date information of a baby of the representative (see figure 4, character 418, where "the main theme is birth date" is read on "mean theme is teams"); and

the extraction means calculates the number of days elapsed since the birth date based on the birth date information and the date-and-time information output from the timer unit and extracts from the commodity database information about a commodity corresponding to the calculated number of elapsed days (see figure 32 and page 18, paragraph 178).

As to claim 16, Block et al. teaches a central apparatus for managing a community site in which a representative and a member previously authorized by the representative to have access to the community site participate, (see figures 2D and 2E; page 4, paragraph 33; page 22, paragraph 209; and page 23, claim 10) comprising:

means for registering personal information about the representative and theme information of the community site in a basic information database in association with identification information for identifying the representative of the community site (see figure 2E; page 2, paragraph 16; and page 6, paragraph 91);

means for registering member information about a member in a member information database in association with identification information

for identifying the member of the community site (see figures 2, 8, and 9; page 2, paragraph 16; and page 6, paragraph 91);

means for registering commodity information about commodities to be provided in a commodity database in association with the theme information (see figures 3, 4, 35, and 39);

means for extracting the commodity information from the commodity database based on the theme information registered in the basic information database (see figures 3-6 and page 4, paragraph 34); and

means for transmitting the extracted commodity information to the outside (see page 1, paragraph 4; page 22, paragraph 209; and page 23, claim 12).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Block et al. (U.S. publication 2003/0050976) in view of Hunter et al. (U.S. publication 2002/0095442).

As to claim 8, Block et al. teaches the community site constructing system further comprising an advertisement database in which advertisement information is registered in association with a keyword, wherein the processor of the central apparatus (see figure 5, character 512 and page 19, paragraph 186).

Block et al. does not teach extracting the keyword from information uploaded to the community site;

extracting the advertisement information corresponding to the extracted keyword; and

registering the extracted advertisement information in the community site.

Hunter et al. teaches creating community web site (see abstract), in which he teaches extracting the keyword from information uploaded to the community site (see figure 1 and page 5, paragraph 65);

extracting the advertisement information corresponding to the extracted keyword (see figure 2 and page 5, paragraph 65); and

registering the extracted advertisement information in the community site (see figures 1 and 2 and page 5, paragraph 65).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Block et al., to include extracting the keyword from information uploaded to the community site;

extracting the advertisement information corresponding to

the extracted keyword; and

registering the extracted advertisement information in the community site.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Block et al. by the teaching of Hunter et al., because extracting the keyword from information uploaded to the community site;

extracting the advertisement information corresponding to the extracted keyword; and

registering the extracted advertisement information in the community site, would enable the community site to be "quickly and inexpensively in a two-step method. The first step is to create a prototype Web site having general content and local content. The second step is to provide a licensed Web site to a community, the licensed Web site sharing the general content with the prototype Web site and having local content that is specific to the community", (see Hunter et al., abstract).

"Each viewer of www.QuincyNet.com and its progeny, the licensed turnkey hometown community Web sites, has immediate access to the content of the Web site itself and of all other sites on the World Wide Web. This remarkable capability results from the inclusion of both the standard search engines and a proprietary Internal Search Engine. It permits the viewer to type in the subject being sought. This engine instantly brings up all references to that subject that are included in both the general and the

local content of our site. Without leaving this site, the viewer also has immediate access to all the major external search engines, such as Alta Vista, Excite, Google, HotBot, etc. As new, capable engines are introduced, they are examined carefully and, if found to be satisfactory, are added to those that the viewer can use to find nearly everything on the World Wide Web", (see Hunter et al., page 5, paragraph 65).

As to claim 15, Block et al. teaches the community site constructing system further comprising an advertisement database in which advertisement information is registered in association with a keyword, wherein the processor of the central apparatus (see figure 5, character 512 and page 19, paragraph 186).

Block et al. does not teach means for extracting the keyword from information uploaded to the community site;

means for extracting the advertisement information corresponding to the extracted keyword; and

means for registering the extracted advertisement information in the community site.

Hunter et al. teaches creating community web site (see abstract), in which he teaches means for extracting the keyword from information uploaded to the community site (see figure 1 and page 5, paragraph 65);

means for extracting the advertisement information corresponding to the extracted keyword (see figure 2 and page 5, paragraph 65); and

means for registering the extracted advertisement information in the community site (see figures 1 and 2 and page 5, paragraph 65).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Block et al., to include means for extracting the keyword from information uploaded to the community site;

means for extracting the advertisement information corresponding to the extracted keyword; and

means for registering the extracted advertisement information in the community site.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Block et al. by the teaching of Hunter et al., because means for extracting the keyword from information uploaded to the community site;

means for extracting the advertisement information corresponding to the extracted keyword; and

means for registering the extracted advertisement information in the community site, would enable the community site to be "quickly and inexpensively in a two-step method. The first step is to create a prototype Web site having general content and local content. The second step is to provide a licensed Web site to a community, the licensed Web site sharing the general content with the prototype Web site and having local content that is specific to the community", (see Hunter et al., abstract).

"Each viewer of www.QuincyNet.com and its progeny, the licensed turnkey hometown community Web sites, has immediate access to the content of the Web site itself and of all other sites on the World Wide Web. This remarkable capability results from the inclusion of both the standard search engines and a proprietary Internal Search Engine. It permits the viewer to type in the subject being sought. This engine instantly brings up all references to that subject that are included in both the general and the local content of our site. Without leaving this site, the viewer also has immediate access to all the major external search engines, such as Alta Vista, Excite, Google, HotBot, etc. As new, capable engines are introduced, they are examined carefully and, if found to be satisfactory, are added to those that the viewer can use to find nearly everything on the World Wide Web", (see Hunter et al., page 5, paragraph 65).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 703-305-7605. The examiner can normally be reached on moday-friday 9am-5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2175

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

bmo

June 30, 2004.


SAM RIMELL
PRIMARY EXAMINER